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DEPARTMENT FOR AF A/S FRAZER, AF/SPG, SE WILLIAMSON, AF/EX,  
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E.O. 12958: DECL: 03/29/2013

TAGS: SU ABLD AMGT ASEC PGOV PREL

SUBJECT: EASING "IMPOSSIBLE LIFE" FOR SUDANESE DIPLOMATS IN  
U.S. IS KEY TO NEC RESUMPTION

REF: A. A) KHARTOUM 442  
¶B. B) KHARTOUM 428

Classified By: CDA Alberto M. Fernandez, reasons 1.4 (b) and (d)

¶1. (C) Summary: The Sudanese Foreign Ministry's key administrator confirmed that Sudan is willing to allow NEC construction to resume and containers shipped in reciprocity to "easing up on pressure on Sudan's diplomatic missions" in the U.S., as promised recently by President Al-Bashir. This means changing punitive strictures which make the task of Sudanese missions in Washington and New York paying staff and bills a constantly shifting, monthly obstacle course and a constant hindrance to normal diplomatic work. It does not mean, per se, a mortgage for a new Sudanese Embassy property in Washington (although that is an interest, it is not the immediate, emergency concern). Subsequent to the meeting MFA Americas Department provided a written list of Sudanese Embassy in Washington concerns that range from the petty to the reasonable. End summary.

¶2. (C) CDA Fernandez on March 30 called on MFA Under-Secretary (and National Congress Party insider) Mutriff Siddiq to make sure that the MFA's chief operating officer - and often, minder for SPLM Foreign Minister Deng Alor - was in the loop on the discussion between the Foreign Minister and President Al-Bashir on March 25 on allowing NEC containers imports back into Sudan. Siddiq said that Deng Alor had indeed informed him in detail. CDA asked what would constitute "easing pressure on Sudan's diplomatic missions?" Siddiq said that many of these items are contained in the memorandum handed over to the Americans on March 23 (reftel b). "As the chief administrator of the Foreign Ministry I know exactly what the President is referring to because we discuss it all the time."

¶3. (C) Siddiq said that Sudan cannot transfer money to pay its staff or bills in the United States, "not from Sudan nor from Jeddah." The normal life and diplomatic work of their official representatives is rendered all but impossible for Sudanese envoys in America. Every month they have to think of how to pay their bills and their staff (prompting some anti-US regime figures to call internally for the closing of Sudan's Embassy in Washington, and the U.S. Embassy in Sudan), running an obstacle course by carrying in large amounts of cash, repeatedly answering suspicious questions "as if we were drug dealers". Bank accounts, credit cards, checking - all become major problems if not impossible. In passing he mentioned that this American treatment is a violation of the Vienna Convention.

¶4. (C) CDA asked about the possibility of getting an OFAC license for a Sudanese mortgage, as a possible suitable palliative and Siddiq countered "that is an issue but it is the least of our problems." What President Al-Bashir meant

when he told Deng Alor about the willingness for a NEC-Sudanese Missions quid pro quo referred to the larger, immediate problem which is financial and logistical in Washington. "We are not asking you to lift sanctions on us - at this stage - keep them on us but allow our Embassy to function normally." These are guests in your home, he noted "and we believe that you can disagree vehemently with guests but still welcome them." Sudan is not asking for special treatment but only that its diplomats can do their work and live their lives like other diplomats accredited to the United States. He was quick to add that the Sudanese are not expecting that all their concerns would be solved in advance of NEC containers being released, "the points under diplomatic and consular affairs are less significant" than financial and administrative issues.

15. (SBU) Subsequent to the meeting and at Siddiq's request, the MFA provided a written list in English of the concerns of the Sudanese Embassy in Washington. These concerns (many of which mirror those already reported in reftel b) range from the petty and the easily solved to more substantive matters. One issue raised, moving regular US visa issuance from Cairo to Khartoum is delayed because of Sudan's own obstruction of the NEC, a point CDA has frequently made to Sudanese officials. The Sudanese list also does indeed mention the mortgage issue.

Begin text:

#### Diplomatic Affairs

-- The Administration limits the Charge d'Affaires meetings to the level of the Sudan Programs Group in the State Department. The Ambassador of the Sudan in Washington has never been given any chance to meet with Madame Secretary as

CDA and representative of his country, unlike his American counterpart in Sudan.

-- Pursuing diplomatic isolation policy by not extending an invitation to the Embassy to participate in the official functions such as the Independence Day on the 4th of July, similar to the invitation extended to the other accredited diplomatic missions in the United States.

#### Consular Affairs

-- The issuance of the visa in Cairo instead of Khartoum for the Sudanese citizen adds more suffering and financial burden due to the cost of travel and accommodation.

-- Type A1 visa renewal for the diplomats and their families in Washington and New York require long security procedures through different agencies. The security database check takes more than one month to get the clearance for the visa renewal.

#### Financial Affairs

-- The Department of treasury applies administrative restrictions to monitor the embassy account and diplomats' personal accounts that includes the following: The applied financial restrictions discourage the commercial banks from opening an account for the embassy. Although the embassy managed to open an account after three months of hard work, with M&T Bank, still the same restrictions are applied.

-- The embassy account is under tough scrutiny and continuous monitoring which causes additional administrative procedures including: verifying the sender information, amount of money, and OFAC approval number. These multiple layers of restrictions result in money being returned to the sender because of the bank's administrative mistakes.

-- Due to the above-mentioned monitoring system, the embassy is under a continuous flow of phone calls from the bank to verify the purpose of the checks issued to cover certain services regardless of the information written in the memo of the checks. In addition to that, the Embassy is facing

difficulties in issuing Cashier's Checks unless prearrangement is settled with the bank.

-- The Embassy is paying 3000 dollars a month for a bank officer to review and monitor the financial activities of the embassy as required by the bank in conformity with the treasury procedural restrictions.

-- The same restrictions are applied to the diplomats' personal accounts such as approval from the treasury and written obligation to use the account for personal expenses only. Diplomats' personal accounts have been frozen twice before.

#### Administrative Affairs

-- The Embassy is exerting extensive efforts to buy a new chancery to accommodate the staff and improve the working environment. Due to the economic sanctions, a financial restriction blocked such an effort to secure a mortgage. A reciprocity approach is needed to facilitate the process of buying a new land or property to be used as a chancery for the embassy in the near future.

-- The negative consequences of the economic sanctions extended beyond the above-mentioned items to the insurance services. The car and property insurance company that provided services to the embassy for the last 20 years has canceled the contract out of fear of economic sanctions. After six months of tough negotiations, the embassy was able to reach a deal with a new company. But there are no assurances that such a deal will hold under the current situation of restricted sanctions.

#### Conclusion

All the problems illustrated above are natural consequences of the economic sanctions imposed on the two missions in Washington D.C. and New York. Since May of last year, the Administration took further steps to tighten the sanctions on the two missions. Since then the embassy is facing difficulties and obstacles to conduct its daily business. There is a mere violation of all diplomatic agreements and established practices in the international community. Lifting all type of sanctions and restrictions imposed on the two missions in the U.S. is the first step in the right direction of negotiating bilateral issues of mutual concern.

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End text.

¶6. (C) Comment: Given that the right hand often doesn't know what the left is doing in Sudan, it was a relief that senior MFA officials - from the rival SPLM and NCP - are coordinating among themselves on this matter. Siddiq confirmed our understanding, reported in reftels, of what Sudan sees as reciprocal steps required to get the issue of "the embassies" off the table immediately. The Sudanese regime is well known for its creativity in coming up with new excuses for its bad behavior but, at least for the present, there seems to be some general consistency in their sob story. Post hopes that the Department will be able to identify ways to at least partially ameliorate the ability of the Sudanese Embassy in Washington to carry out financial transactions in the U.S., if this is possible, while maintaining sanctions. It is our analysis that such a step, coupled with progress on an OFAC license for a mortgage for the new Sudanese chancery, could end the NEC obstructionism soon. End comment.

FERNANDEZ